



City of Carmel

CARMEL PLAN COMMISSION SPECIAL STUDIES COMMITTEE FEBRUARY 7, 2006

Minutes

The Special Studies Committee of the Carmel Plan Commission met at 6:00 PM on February 7, 2006 in the Caucus Rooms of City Hall, Carmel, Indiana.

Members in attendance: Leo Dierckman, Mark Rattermann, Madeleine Torres, and Susan Westermeier. The first order of business was to elect a Committee Chairperson.

Mark Rattermann nominated Leo Dierckman to serve as Chairperson for the coming year, seconded by Madeleine Torres, 4 in favor, none opposed—motion carried.

The Special Studies Committee considered the following items:

1. Docket No. 04090045 ADLS: O'Malia Fireplace.

The applicant seeks approval of a building and parking lot expansion. The site is located at 220 South Range Line Road. The site is zoned B-1/Business.

Filed by Paul Reis of Drewry Simmons Vornehm, LLP for Helen J. O'Malia Trust.

OFFICIALLY WITHDRAWN

2. Docket No. 05080023 ADLS Amend: Two Parkwood - Firestone Signage

The applicant seeks approval for a new wall sign.

The site is located at 310 E 96th St. is zoned B-6.

Filed by Steve Granner for Bose McKinney & Evans LLP.

Steve Granner, Land Use Consultant for Bose McKinney & Evans appeared before the Committee representing the applicant. John Vasuta, Firestone, was also in attendance.

The petitioner is requesting approval for a proposed Firestone sign on Building Two at Parkwood Crossing. The sign would be located on the east façade facing College Avenue. This particular building has never had a sign, primarily because it has never had a tenant that occupies the entire building and secondly, it has limited if no visibility from the interstate. Mostly all of the signs on existing buildings have visibility north to the interstate with the exception of the Verizon sign on Building One that faces US 31.

Steve Granner stated that the petitioner had appeared before the Board of Zoning appeals and they granted a variance for the sign to be located on the east façade of the building. The petitioner is also requesting that the sign be illuminated and red in color. The petitioner appeared before the Nora Northside Community Council and they have registered no objection to the proposal with one condition: The petitioner agreed to put the sign on a timer that would be turned off at 11:00 PM each evening and on at 6:00 AM each morning.

John Vasuta addressed the Committee and explained that the Company name is BSF Diversified Products LLC—basically Firestone—and a two-tiered subsidiary from Bridgestone in Tokyo, Japan. Firestone is a subsidiary of Bridgestone America out of Nashville, Tennessee, and the non-tire diversified business of the company.

The diversified businesses include Firestone building products, Firestone fibers and textiles, Firestone industrial products, Firestone metal products, Firestone National Rubber, and Firestone polymers. Firestone would be headquartered in Carmel in the Parkwood Two Building. Firestone has manufacturing facilities in Noblesville and Beech Grove.

Steve Granner summarized that the Ordinance does permit the sign on the south façade of the building. In order to be consistent for signage not to face 96th Street, the reasonable alternative for this building was to locate the sign on the east façade. The Board of Zoning Appeals hearing officer did approve the variance for the location of the sign; the size of the sign conforms to the ordinance. Over a period of time, in discussion regarding signs, there has been some thought that there were perhaps commitments made regarding signage at Parkwood; no written commitments have been found other than those included in the information packets.

Remonstrance/Unfavorable

Maynard Cox and wife Janet, 9540 Broadway, College Commons. Maynard Cox, representing the College Commons neighborhood, spoke in opposition to the Firestone sign—the location on the east façade was OK--the illumination was not. The neighborhood does not want the skyline polluted with illuminated signs on the buildings on Parkwood. Firestone does not have a retail facility at this location and there is no need for an illuminated sign.

College Commons residents in attendance in opposition:

Patti Horrigan; Nancy Rust; Carol Marlin; Craig Burgess, Sue Wood.

Department Report, Matt Griffin: The sign is compliant with other signage within the development. Illumination is a main “sticking point” for a lot of the residents. If illumination is a must, the petitioner might consider a less intrusive option like a halo-lit letter or maybe look at the illumination time and shorten the hours. The Department is recommending approval after all conversation and issues have been addressed.

Sue Westermeir agreed with statements made by Maynard Cox—the Firestone store is not a retail sales outlet and during business hours, the sign is completely visible and that is when

persons would be visiting the site. Ms. Westermeier did not think the sign needed to be lit at night.

Steve Granner responded that at this time of year, it is dark in the early morning and early evening. If a person were coming to the building for an early meeting, it would be difficult to find. Realistically, the purpose of any sign is for branding and identification as much as a directional sign for people coming to the facility.

Mr. Vasuti commented that probably 25% of Firestone comes in at 6:00 or 6:30 AM, including starting meetings early in the morning, and a good portion stay late. Firestone is a worldwide company. Mr. Vasuti was concerned that the Plan Commission would be setting a reverse precedent by limiting the hours for the sign.

Steve Granner reported that the lighting issue came up when the Verizon sign was before the Board of Zoning Appeals. At that time, Duke offered a commitment to instruct the cleaning crews to be finished by 11:00 PM and the supervisors would make every effort to turn off the lights in the buildings at 11:00 PM. In the current instance, the thought is that if people are going to be working late or cleaning up to 11:00 PM, this one sign is kind of a “drop in the bucket.”

Mr. Vasuti commented that the red sign would give off far less light than the typical white sign.

Leo Dierckman said there was no issue with the location of the sign, previously approved by the BZA or the red---it is the function of illumination and the hours of illumination or any illumination. Generally speaking, the lights would be either on with a dusk to dawn control or off permanently. Signage for this particular development has been a big issue from the very beginning, for years.

Madeleine Torres said she has no problem with the sign itself, every business is allowed a sign—the problem is the illumination.

Leo Dierckman asked if the petitioner would commit to a shut-off time of 8:00 PM for the sign—on at 6:00 AM was OK; the petitioner was unwilling to do that and felt that they have been more than reasonable by agreeing to turn it off at all.

Madeleine Torres moved for approval of Docket No. 05080023 ADLS Amend, Two Parkwood Firestone Signage with the condition that the petitioner will commit to hours of illumination as being off at 11:00 PM, on at 6:00 AM, seconded by Mark Rattermann. The vote was two in favor, two opposed (Rattermann, Westermeier) **No Decision Vote.**

Mark Rattermann made formal motion to forward **Docket No. 05080023 ADLS Amend, Two Parkwood, Firestone Signage** to the full Plan Commission for a determining vote at its meeting on **February 21st** at 6:00 PM (Old Business Item). The motion received unanimous approval (4-0.)

3. Docket No. 05050003 Z: Fortune Rezone

The applicant seeks to rezone 43.6 acres from S1 to PUD for the purpose of developing a site with single family homes, townhomes, and limited commercial uses. The site is located at 2555 W 131st Street and is zoned S1.

Filed by Charlie Frankenberger

Charlie Frankenberger, attorney with Nelson & Frankenberger appeared before the Committee representing Indiana Land Development. Also in attendance: Paul Shoopman, Indiana Land Development; Dennis McGuire, Cripe Engineering; and the land-owners.

The subject site is located south of 131st Street and west of Towne Road, sandwiched between two sections of the Villages at WestClay. There is an approved commercial section to the Villages to the immediate east and to the immediate south is a high density, residential section of the Villages of WestClay.

The proposed development contains a sub-area A (townhomes) and sub-area B that includes detached, single family residences. A total of 38 townhomes is permitted and 91 single-family residences. The gross density has been reduced to 2.9 units per acre.

The plan as originally proposed provided appropriate transition from the Villages of WestClay to the east, however; in order to address concerns, since filing, Paul Shoopman has had numerous meetings. Mr. Shoopman has listened to the input of the Committee and significant revisions have been made.

Those revisions are summarized as follows: 1) An enhanced buffer was added along the western boundary of the real estate. 2) The north/south road was re-located to the east in deference to the request of the neighbor to the south. 3) There has been increased tree preservation. 4) There has been an inclusion of an amenity area, including a tot-lot. 5) The density has been reduced. 6) The architectural standards have been increased. 7) The price-point has been increased. 8) The commercial area has been eliminated. 9) More representative elevations have been included in the brochures and will be attached to the PUD with a statement in the PUD that the homes that are built will be similar in character to those attached as exhibits so that any disconnect between the text of the PUD and the illustrations would not occur.

The petitioner requested that this item be forwarded to the Plan Commission with a positive recommendation.

Public comments were invited at this time:

Opposition:

Dee Fox, 11389 Royal Court, Carmel, objected to the density of the development and feels there is no justification for the density.

Nancy & Bruce Young, 2727 West 131st Street, adjacent to the proposed subdivision, owns 5.6 acres, stated concern for property values, fears her home is now devalued (currently on the

market) and is also opposed to the high density—certainly did not expect to be dealing with this project when they purchase their property—“Do we really need this?”

Public Support:

Joe Shumaker, 14505 Baldwin Lane, Carmel, a local residential real estate broker—spoke in support of the project—feels that the density has been addressed and that the neighbors will benefit in the positive from this proposal. The need for housing of this type is measured in the fact that the units are selling as fast as they can build in this part of Carmel—people want to live here.

Department Comments, Matt Griffin: In a previous committee meeting, one member had mentioned a desire for more detail on the amenity area and the “tot-lot.” The Department also has a list of architectural comments and most of those comments have been addressed by what has been shown. The Department is recommending a positive recommendation.

Charlie Frankenberger referred to a statement he thought was in the PUD--that all roof colors would be the same. This statement is not in the PUD and any reference to that will be eliminated. In regard to architectural reference, a statement is now included that all floors of all side elevations will have windows, making exception only for gables on side elevations. Also included in the PUD is a statement that all doors and windows will be framed. The petitioner has agreed that there will be no exposed chimney chases; however, the petitioner was reluctant to include a provision that all chimney chases would be masonry because some might be Hardy ones.

Madeleine Torres asked about the elevations that showed the garage to the front and thought it was better to have them hidden at the side.

Charlie Frankenberger responded that there are elevations that show rear-garages—all 51-foot lots are rear-loaded; it is the 61-foot lots that were planned to be the larger lots because of the transitioning internally away from the higher density villages toward lower density. Some of the homes can have side-loaded garages that would probably be courtyard loaded garages, and some can have front-loaded garages.

Charlie Frankenberger referred to the amenity area and said there are different types of improvements that can go in the amenity area. One rendering shows a tennis court. Mr. Haney had asked about dropping a lot and including a “tot-lot” and this has been done; the drawing shows some landscaping and the playground area. The petitioner is willing to commit to spend in improvements what is being shown at this time (tot-lot/playground, tennis courts and landscaping.)

The bufferyard shown is an agreement to buffer the townhomes with a landscape buffer against the commercial area. In the PUD, it is stated that evergreen trees would be planted 20 feet on center adjacent to commercial. The western boundary of the property is the same as the rear lot lines on some of the lots.

Bruce Young asked if the petitioner would install a buffer on the western boundary at the rear of the lots that affect his property—Charlie Frankenberger responded that the petitioner would have conversations with Mr. Young regarding landscape buffer.

Mark Rattermann made formal motion to **forward Docket No. 05050003 Z: Fortune Rezone** to the full Commission on **February 21st** with a positive recommendation, seconded by Susan Westermeier. Approved 3 in favor one opposed (Rattermann.)

4. Docket No. 05110020 DP/ADLS: Old Meridian Place – Continued to March 7

The applicant seeks to create 129 townhomes and a mix of office and retail uses on 25 acres. The site is located at 12852 Old Meridian Street and is zoned OM/SFA. Filed by Jon Isaacs for Centex Homes.

5. Docket No. 05120012 DP/ADLS: Arden Townhomes

The applicant seeks approval for a 90-unit townhome development on 12.7 acres. The site is located at 1940 E 136th St. and is zoned PUD/Planned Unit Development. Filed by Jim Shinaver of Nelson & Frankenberger for Buckingham Properties, Inc.

Jim Shinaver, attorney with Nelson & Frankenberger appeared before the Committee representing the applicant. Also in attendance: David Leazenby and Sarah Nasuti, Buckingham Properties; Bill Fehribach, A&F Traffic Engineer; and Rich Kelly, Civil Engineer.

The revised site plan (color) was distributed to the Committee members this evening. The revisions were based on additional needs with the Department of Engineering, Hamilton County Soil and Water District, and Hamilton County Surveyor's Office to address the proximity of two townhome buildings located near the top of the creekbank on the western portion of the site—more specifically the northwestern portion of the site.

The revised site plan includes the following changes: two units were removed from the overall project so that there are now 88 units rather than 90 units; additional greenspace was added to the northern portion of the entryway boulevard that allowed Buckingham to preserve four, existing, mature trees including two large beech trees. The two buildings at the northwest portion of the site, identified as buildings 9 and 10 have been moved east so that they are now a minimum of 30 feet from the top of the bank of the creek. The park at the northern portion of the site has been reduced slightly by 15 feet in the east/west dimension—what was elongated approximately the same dimension in a north/south direction. Buildings 15 and 16 have been flipped to an east/ west orientation—formerly oriented north/south. Finally, the number of parking spaces was reduced to 429 from 439 spaces. However, due to the removal of two units from the overall site, the overall parking ratio did not change and is still at 4.88 spaces per unit.

Regarding the Staff Report, the supplemental brochure was designed to address the four items discussed at the January Plan Commission as follows. Exhibit 2 was a commitment regarding brick wrap on the first floor elevations of the townhome units facing the off-site path and other locations throughout the site. Exhibit 3 was a revised landscape plan that showed additional plantings along the north side of the site along the northern property line. Exhibit 4 was a more

detailed summary prepared by Rich Kelly explaining how the drainage on the site would work as well as the retention ponds. Exhibit 5 was a letter from Sara Nasuti explaining the construction timeline for the off-site trail.

The Staff Report included four additional items not discussed specifically at the January 17th meeting of the Plan Commission. The Staff requested that all windows be framed or make use of lentils and sills, and the side/rear elevations should not have punch-out windows. The Staff also requested that the side elevations should not have windows on the first floor. The PUD that governs this site does not require windows on the first floor, side elevations. At this time, the request for windows on the first floor side elevation cannot be accommodated, primarily due to two reasons. First, the petitioner is concerned that if windows were placed on the first floor of the side elevation, it could compromise security. Further, the units are designed in such a way that there is a bonus room located in the entry of the unit and if a window were placed on the first floor side elevation, a homeowner would not have the ability to accommodate furniture in a meaningful way in that room because of the window. The request from the Staff will be accommodated.

The third item on the list was additional pedestrian connection at the mid-point of the project—the 12-foot path on the eastern border. Currently, there is a pedestrian connection on the far northern point of the site; however, based on the request from the Staff, the petitioner will accommodate a second connection to that path that will be at the midway point of the site in the east/west direction to connect with the off-site trail. The fourth issue contained in the Staff Report stated that during the rezone phase, the process of secondary emergency access was discussed and the Staff posed the question “Will this be implemented?” Sara Nasuti will be meeting with Gary Hoyt of the Carmel Fire Department on Thursday to re-visit this issue. The petitioner will work with Gary Hoyt to address any concerns he may have on this issue.

At this time, the petitioner is requesting that this item be referred to the full Plan Commission with a favorable recommendation.

Department Report, Matt Griffin: Regarding the new layout, one quick comment: Is there any way to eliminate three parking spaces and align the green space with the boulevard so as to create a focal point at the entry?

City Planner Christine Holmes recommended glass block to address safety concerns, day-lighting and aesthetics. Older homes typically have windows all the way around. Brick, even just around the first floor, is an improvement over the brick mask at the front of the building.

The Committee favored brick all the way around on the first floor.

David Leazenby said the brick is a buyer thing, not necessarily a price issue. Because of the design of the home, the bonus room could be used as a home office or a spare bedroom. The price point for the homes is \$180,000 to \$220,000.

Questions were asked about two ponds at the entry. Rich Kelly responded that there is a substantial grade difference at this location and there could perhaps be a water fountain placed at the entry. It is currently designed with a spillway between the two ponds.

Leo Dierckman suggested an upscale water feature with decorative rock to simulate a natural waterfall, maybe even a pump to keep the water circulating. This area is at the entry and will be highly visible.

Members of the public in attendance:

Nancy Jacobs, 1945 East 136th Street, directly opposite the proposed development, asked if a lot of the older, mature trees were being preserved. Also, what is the location of the drive and is the existing driveway being converted to a walking path? How far over from the existing driveway is the new, three lane entry? Additional note: There are a number of deer at this location and Nancy Jacobs requested that a “Deer Crossing” sign be posted in the immediate area.

David Leazenby confirmed that the exiting drive is being converted to a walking path and it will be 30 feet from the proposed drive and tree buffer, 50 feet to the center. David Leazenby was agreeable to posting a “Deer Crossing” sign.

Mark Rattermann made formal motion to **forward Docket 05120012 DP/ADLS, Arden Townhomes** to the full Commission on **February 21, 2006** with a positive recommendation **conditioned** upon the following commitments from the petitioner:

- 1) Project will include some type of decorative rock at the entry within full view at the water feature between the two ponds with water cascading, circulating between the two ponds (approved by Staff).
- 2) The Elimination of three parking spaces on the east side of the entry to visually balance the entry drive; the three parking spaces will not be paved but will be land-banked for future use.
- 3) Installation of windows on the first floor (single window in each) in those units that face the street as one drives into the development.
- 4) Installation of a “Deer Crossing” sign.

The motion was seconded by Susan Westermeier, Approved with commitments as stated 4-0.

6. Docket No. 05120018 DP/ADLS: Old Meridian Professional Building (Pinnacle Pointe)

The applicant seeks to create a 2 story, 19,526 sq. ft. medical office building on 2.44 acres.

The site is located at 12065 Old Meridian Street and is zoned B6 within the US 31 Overlay.

Filed by Kevin Roberts of DeBoy Land Development for Allen Commercial Group.

TABLED TO MARCH 7th

7. Docket No. 05120021 ADLS: Ritz Charles

The applicant seeks to build a glass building adjacent to the existing Ritz Charles building.

The site is located at 12156 North Meridian Street and is zoned B-6.

Filed by E. Davis Coots of Coots, Henke, and Wheeler for Chuck Lazarra.

Chuck Lazarra, Carmel, Indiana, owner of the Ritz Charles appeared before the Committee representing the applicant. There have been no changes since the initial submission, only some items for clarification. The Illinois Street expansion is not related to this current submission.

Matt Griffin noted that there were three items requested for review; these items have been supplied and the Department is recommending approval at this time.

Susan Westermeier was concerned as to the appearance of the glass structure from Illinois Street.

Chuck Lazarra responded that the entrance to the Pavilion is located on the back parking lot; Ace is recommending that once a determination is made as to the location of Illinois Street, the five parking spaces should be converted to a landscaping area with pine trees—a buffer to Illinois Street.

Madeleine Torres made formal motion to approve **Docket No. 05120021 ADLS, Ritz Charles**, seconded by Susan Westermeier, **APPROVED 4-0**.

8. Docket No. 06010011 ADLS Amend: Conseco Parking Lot

The applicant seeks approval for additional parking and alterations to the landscaping and lighting.

The site is located at 11835 Pennsylvania Street and is zoned B-2/Business.

Filed by Gary Murray of Schneider Engineering for Conseco.

Gary Murray, Schneider Engineering appeared before the Committee representing the applicant. The Conseco parking lot is being expanded to allow for potential sale of the building to Ingersoll Rand. At this time, there is inadequate parking on the lot; an additional parcel has been created that would incorporate the necessary parking to accommodate Ingersoll Rand. The petitioner is being respectful of the existing landscaping on the site—there are significant trees towards Pennsylvania Street. There are some mature trees to the north that will be removed, and some significant screening has been added to the new east lot line as well as creating new screening along Congressional Boulevard.

Comments were received from Urban Forester Scott Brewer and changes have been made to the plant material pursuant to Scott Brewer's recommendations; structural soils have been added to the drawings.

Currently there is a walkway between the two buildings and with two separate companies now, there is no reason to have foot traffic back/forth. Part of the walkway will be removed to

accommodate the parking lot, part of it may be included as access for outdoor seating area in the green space area.

The petitioner asked that approval be contingent upon drainage approval through the Engineering Department in order to meet time frames.

Department Comments, Matt Griffin: The petitioner has touched on two issues the Department had with this project—one is approval from the Dept. of Engineering; the second is landscaping and that appears to have been addressed by Scott Brewer. At this time, the Department would recommend approval.

Mark Rattermann made formal motion to approve **Docket No. 06010011 ADLS Amend: Consecro Parking Lot, subject to** final approval from Engineering Dept regarding the drainage, seconded by Susan Westemeier, **APPROVED** 4-0.

9. Docket No. 06010014 ADLS Amend: 116th & Keystone Retail Shops - Signage options

The applicant seeks approval for one of the signage options for the southern street front. The site is located at 2810 E 116th St. and is zoned B-3.
Filed by Bryan Chandler for SDMBR, LLC.

Bryan Chandler and Drew Warner appeared before the Committee representing Eclipse Real Estate. The petitioner is requesting identification signs for the south elevation of this building. It was thought that four tenants could be identified on the south wall via a logo wall. The petitioner made a promise to its tenants to give them identification on the south end of the building. The petitioner presented the logo wall to the Committee a few months ago, and the request was denied.

At this time, the petitioner is requesting more of a working session and looking for some sort of solution for the signage. Bryan Chandler presented four possible solutions for signage on the south façade.

Department Comments, Matt Griffin: Option A was voted on by the Committee in December and denied. Under the Commission's Rules of Procedure, this option cannot even be voted on for a year. Options B and C would take a Variance; the Sign Ordinance was also written to stop-gap the "rainbow" effect of signage. The last option is a request for another monument sign on 116th Street. Currently the petitioner has a monument sign on Keystone Avenue, allowed by a variance. It is difficult to award a variance for another monument sign for such a high profile site.

Bryan Chandler said that if signage cannot be obtained for the other tenants on the south façade, Sprint, by rights, could obtain approval from the City to install a 30-foot Sprint sign on their storefront. The complicating fact is the median that was put in and only allows right in/right out of the site.

Mark Rattermann was complimentary of the petitioner in working with the City and resolving a huge traffic issue at this location.

After much discussion, the Committee determined there was a substantial variation in the design and they were willing to allow two logo signs, centered over the glass panels above the awnings (very much different than the drawings exhibited.)

The petitioner agreed to move the logo (signs) and center over the glass panels above the awnings—very much different than the drawings exhibited. The petitioner will be appearing before the BZA for a size variance.

Mark Rattermann made formal motion to approve **Docket No. 06010014 ADLS Amend, 116th & Keystone Retail Shops**, as revised so as to move two logo (signs) and center over the glass panels above each of the awnings, seconded by Susan Westermeier and **APPROVED** 4-0.

Note: The petitioner will submit revised, final drawings to the Department on the signage option approved.

There was no further business to come before the Committee and the meeting was adjourned at 8:30 PM.

Leo Dierckman, Chairperson

Ramona Hancock, Secretary